

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
TESORO, INC.,

Plaintiff,

- against -

FORMOSA CONTAINER LINE, INC., et al.,

Defendants.  
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08 Civ. 11042 (RMB) (DFE)

**ORDER OF DISCONTINUANCE**

Based upon third-party plaintiff Formosa Container Line, Inc.'s letter, dated July 1, 2009, indicating that "Formosa and [Pacific International Lines Ltd.] have reached a settlement agreement and thus jointly request that the conference be cancelled and that a 30-day order be entered to complete the settlement," and it is hereby,

**ORDERED**, that the above-entitled action be, and the same hereby is, discontinued; provided, however, that the Plaintiff or Defendants may apply, on or before August 3, 2009 (noon), by letter showing good cause why this action should be restored to the calendar of the undersigned. The conference scheduled for July 6, 2009 is hereby vacated.

**SO ORDERED.**

Dated: New York, New York  
July 2, 2009

  
Richard M. Berman, U.S.D.J.